

UNITED STATES DISTRICT COURT:

SOUTHERN DISTRICT OF NEW YORK

JASON HOUSTON

x Attorney

Service #: 803-342

Case #: 08-CIV.0968

Plaintiff

- against -
 CITY OF POUGHKEEPSIE ET-AL

AFFIDAVIT OF SERVICE
SUMMONS IN A CIVIL CASE

Defendant,

STATE OF NEW YORK

COUNTY OF DUTCHESS

SS.:

ANDREW SZYMKOWICZ , being duly sworn, deposes and says: That deponent is not a party to this action, is over 18 years of age and resides at ULSTER PARK, NEW YORK
 That on APRIL 3 2008 at 11:20 AM at C/O CITY OF POUGHKEEPSIE POLICE
 DEPARTMENT CIVIC CENTER PLAZA POUGHKEEPSIE NY 12601 deponent served the above paper upon CITY OF POUGHKEEPSIE

By delivering a true copy thereof to said defendant/witness personally; deponent knew said person served to be the person described as defendant (witness) therein.

A MUNICIPAL corporation, by delivering a true copy thereof to CHRISTOPHER F BAIANO personally; deponent knew said corporation served to be the corporation described as defendant (witness) and knew said individual to be CITY CHAMBERLAIN (authorized to accept service on behalf of the corporation)

By delivering a true copy thereof to a person of suitable age and discretion. Said premises is defendant's / witness' (place of business) within the State.

By affixing a true copy thereof to the door of said premises, the same being the defendant's (dwelling place) (usual place of abode)(place of business) within the State of New York. Deponent was unable, with due diligence, to locate defendant or a person of suitable age and discretion thereat, having called there on the following dates and times :

Deponent also enclosed a copy thereof in a first class postpaid, sealed envelope properly addressed to defendant (witness) at

defendant's (witness') last known (place of business) and deposited said wrapper in an official US. Postal Service depository within the State, on The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

A certified Mailing, Return Receipt requested was performed. # was effected.

Deponent paid (tendered) in advance \$, the authorized traveling expenses and one day's witness fee.

DESCRIPTION - Deponent describes the individual served as follows:

Sex MALE Skin color WHITE Approx. age 45 Approx. Ht. 5'10 Approx. Wt. 190 lbs.
 Color of Hair BLACK Beard Mustache X Other:

MILITARY SERVICE - Deponent asked the person served (spoken to) whether the defendant was in active military service of the United States or of the State and was informed he/she was not. Defendant wore ordinary civilian clothes and no military uniform.

Sworn to before me this

4 day of APRIL 2008

Notary Public

ELLEN EDWARDS

NOTARY PUBLIC, State of New York
 Qualified in Ulster County
 Commission Expires August 23, 2009



ANDREW SZYMKOWICZ

UNITED STATES DISTRICT COURT:

SOUTHERN DISTRICT OF NEW YORK

JASON HOUSTON

-x Attorney

Service #: 803-343

Case #: 08-CIV.0968

Plaintiff

- against -
 CITY OF POUGHKEEPSIE ET-AL

AFFIDAVIT OF SERVICE
SUMMONS IN A CIVIL CASE

Defendant,

-x

STATE OF NEW YORK

COUNTY OF DUTCHESS

SS.:

ANDREW SZYMKOWICZ , being duly sworn, deposes and says: That deponent is not a party to this action, is over 18 years of age and resides at ULSTER PARK, NEW YORK
 That on APRIL 3 2008 at 11:20 AM at C/O CITY OF POUGHKEEPSIE POLICE
 DEPARTMENT CIVIC CENTER PLAZA POUGHKEEPSIE NY 12601 deponent served the above paper upon OFFICER CRONK

By delivering a true copy thereof to said defendant/witness personally; deponent knew said person served to be the person described as defendant (witness) therein.

A corporation, by delivering a true copy thereof to personally; deponent knew said corporation served to be the corporation described as defendant (witness) and knew said individual to be (authorized to accept service on behalf of the corporation)

- By delivering a true copy thereof to LT. BENNETT (DESIGNATED TO ACCEPT) a person of suitable age and discretion. Said premises is defendant's / witness' (place of business) within the State.

By affixing a true copy thereof to the door of said premises, the same being the defendant's (dwelling place) (usual place of abode)(place of business) within the State of New York. Deponent was unable, with due diligence, to locate defendant or a person of suitable age and discretion thereat, having called there on the following dates and times :

- Deponent also enclosed a copy thereof in a first class postpaid, sealed envelope properly addressed to defendant (witness) at ABOVE SERVICE ADDRESS defendant's (witness') last known (place of business) and deposited said wrapper in an official US. Postal Service depository within the State, on 4/3/08 The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant.

A certified Mailing, Return Receipt requested was performed. # was effected.

Deponent paid (tendered) in advance \$, the authorized traveling expenses and one day's witness fee.

DESCRIPTION - Deponent describes the individual served as follows:

Sex MALE Skin color WHITE Approx. age 54 Approx. Ht. 5'10 Approx. Wt. 220 lbs.
 Color of Hair BROWN Beard Mustache X Other: GLASSES

MILITARY SERVICE - Deponent asked the person served (spoken to) whether the defendant was in active military service of the United States or of the State and was informed he/she was not. Defendant wore ordinary civilian clothes and no military uniform.

Sworn to before me this

4 day of APRIL 2008



Notary Public

ELLEN EDWARDS
 NOTARY PUBLIC, State of New York
 Qualified in Ulster County
 Commission Expires August 23, 2009



ANDREW SZYMKOWICZ